



0000064296

## BEFORE THE ARIZONA CORPORATION COMMISSION

JEFF HATCH-MILLER

Chairman

WILLIAM A. MUNDELL

Commissioner

MIKE GLEASON

Commissioner

KRISTIN K. MAYES

Commissioner

BARRY WONG

Commissioner

Arizona Corporation Commission

DOCKETED

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IN THE MATTER OF THE APPLICATION  
OF ARIZONA-AMERICAN WATER  
COMPANY, AN ARIZONA  
CORPORATION, FOR AUTHORITY TO  
IMPLEMENT AN ARSENIC COST  
RECOVERY MECHANISM FOR ITS SUN  
CITY WEST WATER DISTRICT

DOCKET NOS. W-01303A-05-0280  
WS-01303A-02-0867  
WS-01303A-02-0869  
WS-01303A-02-0870

DECISION NO. 69173

Open Meeting  
November 21 and 22, 2006  
Phoenix, Arizona

BY THE COMMISSION:

**INTRODUCTION**

Pursuant to Decision No. 68310<sup>1</sup>, Arizona-American Water Company, Inc. ("Arizona-American" or "Company") filed an application on August 30, 2006, with the Arizona Corporation Commission ("Commission") requesting authorization to implement Step-One of the Arsenic Cost Recovery Mechanism ("ACRM") for its Sun City West Water District. The average residential customer bill would increase by approximately \$8.41 (or 49.44 percent) from \$17.01 to \$25.42.

On January 23, 2001, the United States Environmental Protection Agency reduced the drinking water standard for arsenic from 50 parts per billion ("ppb") to 10 ppb. All community water systems and non-transient non community water systems needed to comply with the new federal rule by the January 23, 2006 deadline.

<sup>1</sup> Dated November 14, 2005

1 On November 22 and December 13, 2002, the Company filed applications with the  
2 Arizona Corporation Commission ("Commission") for fair value determinations of its utility plant  
3 and for permanent rate increases for five of its districts (Sun City West Water and Wastewater,  
4 Sun City Water and Wastewater, Havasu and Mohave Water, Agua Fria Water and Wastewater,  
5 and Tubac Water). On June 30, 2004, the Commission issued Decision No. 67093 establishing  
6 permanent rates for these five districts.

7 On February 15, 2005, the Commission issued Decision No. 67593 granting the  
8 Company's request to reopen the record in Decision No. 67093 for the limited purpose of serving  
9 as evidentiary basis for future ACRM filings for the affected Arizona-American water districts.

10 By Procedural Order issued March 29, 2005, Arizona-American was directed to file a new  
11 application indicating the relief sought regarding the ACRM, and to consolidate the new  
12 application with those existing dockets from Decision No. 67093 that would be affected by the  
13 specific relief request in its filing.

14 On April 15, 2005, the Company filed an application (Docket No. W-01303A-05-0280) for  
15 authority to implement ACRMs for its Agua Fria Water, Sun City West Water, Havasu Water, and  
16 Tubac Water Districts.

17 On May 4, 2005, the Company filed a Motion to Delete the Tubac Water District from its  
18 application.

19 By Procedural Order issued May 6, 2005, the Company's request to delete the Tubac Water  
20 District from its application was approved.

21 On November 14, 2005, the Commission issued Decision No. 68310 granting Arizona-  
22 American Water Company's application for authority to implement an Arsenic Cost Recovery  
23 Mechanism and a Havasu District Arsenic Impact Fee ("AIF") Tariff subject to the terms and  
24 conditions contained in that Decision.

25 On April 21, 2006, Arizona-American Water Company, Inc. filed an application with the  
26 Commission requesting authorization to implement Step-One of the ACRM for its Agua Fria water  
27 district. On June 29, 2006, in Decision No. 68825, the Commission authorized Arizona-  
28 American's request to implement Step-One of the ACRM for its Agua Fria Water District.

On October 2, 2006, the Residential Utility Consumer Office ("RUCO") filed its report on its audit of the ACRM to the instant case.

**Authorization for an Arsenic Cost Recovery Mechanism (Decision No. 68310)**

Decision No. 68310 conditioned approval of an ACRM surcharge on the following criteria:

1. Arizona-American shall comply with all requirements discussed in this Order as a condition of approval of the Arsenic Cost Recovery Mechanism.
2. Arizona-American Water Company shall file a plan with Docket Control as a compliance item in this docket, by December 31, 2005, that describes how the Company expects to attain and maintain a capital structure (equity, long-term debt, and short-term debt) with equity representing between 40 and 60 percent of total capital.
3. Arizona-American Water Company shall file, by April 1<sup>st</sup> of each year subsequent to any year in which it collects surcharges under an ACRM, a report with Docket Control as a compliance item in this docket showing the Company's ending capital structure by month for the prior year.
4. Arizona-American Water Company shall modify the rate base calculation for the Havasu Water District to explicitly show a deduction for Arsenic Impact Fee collections.
5. That as part of the Earnings Test schedule filed in support of the ACRM, Arizona-American Water Company shall incorporate adjustments conforming to Decision No. 67093.
6. Arizona-American Water Company shall file the schedules discussed in its application, as modified by Staff's recommendations herein. Microsoft Excel or compatible electronic versions of the filings and all work papers should be filed concurrently with all ACRM filings.
7. Arizona-American Water Company shall file permanent rate applications for its Sun City West, Agua Fria, and Havasu districts by no later than April 30, 2008, based on a 2007 test year.
8. For the Havasu District, Arizona-American Water Company shall file with Docket Control as a compliance item in this docket by January 31<sup>st</sup> of each year, an annual calendar year status report, until the AIF Tariff is no longer in effect. The status report shall contain a list of all customers that have paid the AIF, the amount each customer has paid, the amount of money spent from the AIF, and a list of all facilities that have been installed with funds from the AIF Tariff.

9. Arizona-American Water Company shall file the schedules and information described above, as well as any additional relevant data requested by Staff, as part of any request for an Arsenic Cost Recovery Mechanism step increase.
10. Directed Staff and the Company to open a new proceeding to examine other forms of mitigation of the ACRM for the Havasu system, including the use of hook-up fees for adjacent systems due to the Commission's concern about the impact on the bills of customers served by the Havasu system from the implementation of the ACRM.

### Staff Analysis

### **ACRM Schedules**

The Company's Sun City West includes the following schedules.

1. Balance Sheet – dated June 30, 2006.
2. Income Statement – period ending June 30, 2006.
3. Income Statement Adjustments (Earnings Test) – to conform to Decision No. 67093.
4. Rate Review – a rate review filing for the Sun City West Water District.
5. Arsenic Revenue Requirement – an arsenic revenue requirement calculation for Step-One.
6. Surcharge Calculation – a detailed surcharge calculation.
7. Rate Base – a schedule showing the elements and the calculation of the rate base.
8. CWIP Ledger – a ledger showing the construction work in progress account.
9. 4-Factor Allocation for June 30, 2006 – a schedule showing the allocation for all of the Arizona-American Water Company Districts.
10. Typical Bill Analysis – ACRM Step-1 – A typical bill analysis showing the effects on residential customers at various consumption levels including the Average Residential use of 10,020 gallons.

Staff concluded that the filed schedules conform with the methodologies originally required by Decision No. 66400 and that were subsequently adopted by Decision No. 68310. Staff concluded that the Company's Step-One ACRM filing for its Sun City West Water District is complete and in accordance with Decision No. 68310.

1 The ACRM schedules provide for the calculation of a surcharge based on financial records  
2 and an Earnings Test Schedule that limit the ACRM surcharge revenue to an amount that would  
3 not result in a rate of return exceeding that authorized in Decision No. 67093.

4 Authorization of the Company's requested ACRM in Decision No. 68310 was conditioned  
5 on three other items.

- 6 1. Arizona-American Water Company shall file a plan with Docket Control as a  
7 compliance item in this docket by December 31, 2005, that describes how the  
8 Company expects to attain and maintain a capital structure (equity, long-term debt,  
9 and short-term debt) with equity representing between 40 and 60 percent of total  
10 capital. The Company docketed an equity plan on November 30, 2005.
- 11 2. For the Havasu District, Arizona-American Water Company shall file with Docket  
12 Control as a compliance item in this docket by January 31<sup>st</sup> of each year, an annual  
13 calendar year status report, until the AIF Tariff is no longer in effect. The status  
14 report shall contain a list of all customers that have paid the AIF, the amount each  
15 customer has paid, the amount of money spent from the AIF, and a list of all facilities  
16 that have been installed with funds from the AIF Tariff. The Company docketed an  
17 AIF compliance report on February 2, 2006.
- 18 3. The Commission is concerned about the impact on the bills of customers served by  
19 the Havasu system from the implementation of the ACRM. Consequently, we direct  
20 Staff and the Company to open a new proceeding to examine other forms of  
21 mitigation of the ACRM for the Havasu system, including the use of hook-up fees for  
22 adjacent systems due to the Commission's concern about the impact on the bills of  
23 customers served by the Havasu system from the implementation of the ACRM.  
24 Compliance with this condition is met by Docket No. W-01303A-05-0890.<sup>2</sup>

#### 25 **Staff Adjustments to Company's Schedules Adjustments**

26 Staff reviewed the Company's invoices and found that some invoices should be removed  
27 because they were not incurred for arsenic treatment plant. Staff removed the plant and related  
28 allocation of labor costs. The adjustment reduced Arsenic Treatment Plant by \$134,568 from  
\$13,797,494 to \$13,662,926.

The adjustment to Arsenic Treatment Plant also reduced depreciation expense by \$6,756  
from \$373,138 to \$366,382. Staff's depreciation adjustment was calculated based on the  
Commission authorized depreciation rates by account.

...

<sup>2</sup> A hearing was held on May 8, 2006, and the matter is under consideration by the Hearing Division.

1 The adjustments to plant and depreciation expense reduced the Step-One ACRM surcharge  
2 revenue requirement by \$24,575 from \$1,833,754 to \$1,809,180.

3 The Staff recommended Step-One ACRM surcharge rates would reduce the Company  
4 proposed monthly minimum surcharge per equivalent billing unit (5/8-inch meter) from \$3.75 to  
5 \$3.70 and the commodity surcharge rate from \$0.4654 to \$0.4592 per 1,000 gallons.

6 The Staff recommended Step-One ACRM surcharge rates would increase the average  
7 monthly residential customer bill by \$8.30 (or 48.79 percent) from \$17.01 to \$25.31.

8 Staff concluded that the Company's Step-One ACRM filing for its Sun City West Water  
9 District, as adjusted, is complete and in accordance with Decision No. 68310.

10 Staff recommended that the Company file with the Commission an arsenic removal  
11 surcharge tariff consistent with ACRM Schedule CSB-4.

12 Staff recommended that Arizona-American Sun City West Water District notify its  
13 customers of the arsenic cost recovery surcharge tariff approved herein within 30 days of the  
14 effective date of this Decision.

15 Staff recommended that in the event that Arizona-American fails to file a permanent rate  
16 application for its Sun City West Water system by April 30, 2008, based on a 2007 test year as  
17 required by Decision No 66310, the Arsenic Cost Recovery Mechanism surcharge then in place  
18 shall be automatically discontinued.

#### 20 **RUCO's Analysis and Adjustments to Company's Schedules**

21 RUCO removed costs related to refurbishing a well that it determined was not related to  
22 arsenic treatment plant. RUCO's report states that "The Company agrees that the Task order,  
23 related AFUDC, and overhead in the amount of \$101,044 should be removed from the ACRM  
24 filing." The adjustment reduced Arsenic Treatment Plant by \$101,044 from \$13,797,494 to  
25 \$13,696,450.

26 The adjustment to Arsenic Treatment Plant also reduced depreciation expense by \$3,334  
27 from \$373,138 to \$369,804.

28 ...

1 The adjustments to plant and depreciation expense reduced the Step-One ACRM surcharge  
2 revenue requirement by \$14,030 from \$1,833,754 to \$1,819,724. RUCO's depreciation  
3 adjustment was calculated using a composite depreciation rate of 2.70 percent.

4 RUCO recommends a \$3.72 surcharge for the monthly minimum and a \$0.4620 per 1,000  
5 gallons on the commodity rate.

### 6 7 **Discussion of Well Costs**

8 Staff and RUCO both removed costs related to the well. Staff determined that the well cost  
9 is related to the Company's source of water production and not part of the arsenic treatment  
10 facility. A Company provided work paper indicated that the total cost of the project was \$134,568  
11 (i.e., \$101,044 in plant and \$33,523 in allocated labor costs). Staff removed the total cost of the  
12 project stated by the Company, and RUCO removed the plant cost absent the related allocation of  
13 labor. Therefore, Staff recommends adoption of its adjustment because it reflects removal of all  
14 the non-arsenic related costs.

15 We concur with Staff that the appropriate amount to be removed for the well is \$134,568.  
16 This amount reflects the total cost of the well as calculated and reported by the Company.

17 Staff and RUCO removed depreciation expense related to the disallowed well of \$6,756  
18 and \$3,334, respectively. Staff recommended its depreciation expense over RUCO's because it  
19 recognized the Commission authorized depreciation rates by account and Staff's recommended  
20 arsenic treatment plant balances.

21 We concur with Staff's depreciation expense calculation.

22 \* \* \* \* \*

23 Having considered the entire record herein and being fully advised in the premises, the  
24 Commission finds, concludes, and orders that:

### 25 FINDINGS OF FACT

26 1. Pursuant to Decision No. 68310, the Company seeks an arsenic cost recovery  
27 mechanism surcharge tariff in this proceeding authorizing a monthly surcharge per customer to aid  
28 ...

1 the Company in its efforts to comply with the EPA's new drinking water standard for arsenic from  
2 50 ppb to 10 ppb which went into effect on January 23, 2006.

3 2. Pursuant to Decision No. 68310, the Company filed the required schedules prior to  
4 the implementation of the ACRM.

5 3. Staff's adjustments to the application are reasonable and appropriate and should be  
6 adopted.

7 4. Arizona-American shall file a permanent rate application for its Sun City West,  
8 Agua Fria, and Havasu Water Districts by no later than May 31, 2008, based on a 2007 test year.

9 CONCLUSIONS OF LAW

10 1. The Company is a public water service corporation within the meaning of Article  
11 XV of the Arizona Constitution and A.R.S. §§40-250 and 40-252.

12 2. The Commission has jurisdiction over the Company and of the subject matter of the  
13 application.

14 3. Approval of an arsenic cost recovery mechanism is consistent with the  
15 Commission's authority under the Arizona Constitution, Arizona ratemaking statutes, and  
16 applicable case law.

17 4. It is in the public interest to approve the Company's request for implementation of  
18 the ACRM.

19 ORDER

20 IT IS THEREFORE ORDERED that the application by Arizona-American Sun City Water  
21 District is approved as discussed herein.

22 IT IS FURTHER ORDERED that the application by Arizona-American Sun City Water  
23 District for approval of an arsenic cost recovery mechanism surcharge tariff shall be in accordance  
24 with the attached ACRM Schedule CSB-4.

25 IT IS FURTHER ORDERED that Arizona-American shall notify its customers of the  
26 arsenic cost recovery surcharge tariff approved herein within 30 days of the effective date of this  
27 Decision.

28 ...



1       IT IS FURTHER ORDERED that the Company shall file with Docket Control, as a  
2 compliance item in this docket, a report showing the Company's ending capital structure by month  
3 for the prior year. The first report shall be due on April 1, 2007, and shall be provided each  
4 April 1<sup>st</sup> thereafter until such time as a subsequent order of the Commission discontinues the  
5 ACRM surcharge.

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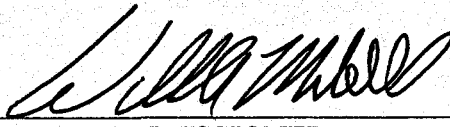
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1 IT IS FURTHER ORDERED that in the event that Arizona-American fails to file a new  
2 rate case application for its Sun City West Water District by May 31, 2008, based on a 2007 test  
3 year, the Arsenic Cost Recovery Mechanism surcharge then in place shall be automatically  
4 discontinued.

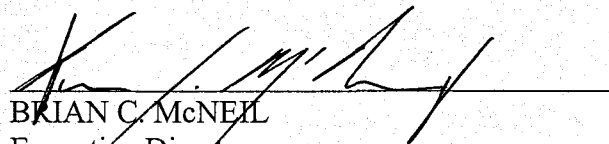
5 IT IS FURTHER ORDERED that this Decision shall become effective immediately.

6  
7 **BY THE ORDER OF THE ARIZONA CORPORATION COMMISSION**

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9    
10 CHAIRMAN COMMISSIONER

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12     
13 COMMISSIONER COMMISSIONER COMMISSIONER

14 IN WITNESS WHEREOF, I BRIAN C. McNEIL, Executive  
15 Director of the Arizona Corporation Commission, have  
16 hereunto, set my hand and caused the official seal of this  
17 Commission to be affixed at the Capitol, in the City of  
18 Phoenix, this 5<sup>th</sup> day of December, 2006.

19   
20 BRIAN C. McNEIL  
21 Executive Director

22 DISSENT: \_\_\_\_\_

23 DISSENT: \_\_\_\_\_

24 EGJ:CSB:lm\DR  
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28

1 SERVICE LIST FOR: Arizona-American Water Company  
2 DOCKET NOS. W-01303A-05-0280, et al.

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Arizona-American Water Company  
 Sun City West District  
 Docket No. W-01303A-05-0280

Schedule CSB-4

## RATE DESIGN

	Company Present Rates Without Surcharge	Company Proposed Surcharge	Staff Recommended Surcharge
<b>Monthly Customer Charge</b>			
5/8" Meter	\$ 5.87	\$ 3.75	\$ 3.70
<b>Commodity</b>			
Commodity Rate 0 to 4,000 gallons	0.850	0.4654	0.4592
Commodity Rate 4,001 to 15,000 gallons	1.285	0.4654	0.4592
Commodity Rate 15,001 gallons and over	1.551	0.4654	0.4592
<b>Average Customer Water Usage (gallons)</b>	10,023	10,023	10,023
<b>Typical Residential Bill</b>			
Under Present Rates Without Surcharge	\$ 17.01		
Under Present Rates With Company Proposed Surcharge		\$ 25.42	
Under Present Rates With Staff Recommended Surcharge			\$ 25.31

## CURRENT RATES INCLUDING SURCHARGE - Per Company

	Company Present Rates Without Surcharge	Company Proposed Surcharge	Company Total
<b>Monthly Customer Charge</b>			
5/8" Meter	\$ 5.87	\$ 3.75	\$ 9.62
<b>Commodity</b>			
Commodity Rate 0 to 4,000 gallons	0.850	0.4654	\$ 1.32
Commodity Rate 4,001 to 15,000 gallons	1.285	0.4654	\$ 1.75
Commodity Rate 15,001 gallons and over	1.551	0.4654	\$ 2.02

## CURRENT RATES INCLUDING SURCHARGE - Per Staff

	Company Present Rates Without Surcharge	Staff Recommended Surcharge	Staff Total
<b>Monthly Customer Charge</b>			
5/8" Meter	\$ 5.87	\$ 3.70	\$ 9.57
<b>Commodity</b>			
Commodity Rate 0 to 4,000 gallons	0.850	0.4592	\$ 1.31
Commodity Rate 4,001 to 15,000 gallons	1.285	0.4592	\$ 1.74
Commodity Rate 15,001 gallons and over	1.551	0.4592	\$ 2.01